

# Part I Energy Agenda Addendum – May 17, 2004

## 8660 California Public Utilities Commission

### 1. Telephonic Reader

**Governor's May Revision.** The administration has proposed to transfer funding for the California State Library's telephonic reader program from the California Teleconnect Fund to the Deaf and Disabled Telecommunications Fund. The telephonic reader program provides newspaper services to the visually impaired and costs the state \$441,000 annually. The administration finds that this funding switch provides a more appropriate funding source for this program. Furthermore, the Governor's budget does not provide sufficient expenditure authority for the California Teleconnect Program in the budget year.

**Staff Recommendation.** Staff agrees that this funding switch is appropriate. Staff recommends approving the following trailer bill language to facilitate the funding switch. Staff understands that Senate Budget Subcommittee #1 that has jurisdiction over the California State Library plans to take a corresponding action.

#### Government Code

**68926.3.** Notwithstanding any other provision of law, sixty-five dollars (\$65) of each fee collected in a civil case by the clerk of each court of appeal pursuant to Section 68926 shall be paid into the State Treasury for deposit in a special account in the General Fund to be known as the California State Law Library Special Account, which account is hereby established.

Moneys deposited in the California State Law Library Special Account during the 1992-93 fiscal year are hereby appropriated for that fiscal year to the California State Law Library for its support.

In fiscal years subsequent to the 1992-93 fiscal year, these moneys shall be available for the support of the California State Law Library upon appropriation thereto by the Legislature in the annual Budget Act.

This section shall remain in effect only until January 1, ~~2005~~ 2010, and as of that date, is repealed, unless a later statute which is enacted before that date extends or repeals that date.

#### Public Utilities Code Sections

270. (a) The following funds are hereby created in the State

Treasury:

- (1) The California High-Cost Fund-A Administrative Committee Fund.
- (2) The California High-Cost Fund-B Administrative Committee Fund.
- (3) The Universal Lifeline Telephone Service Trust Administrative

Committee Fund.

(4) The Deaf and Disabled Telecommunications Program  
Administrative Committee Fund.

(5) The Payphone Service Providers Committee Fund.

(6) The California Teleconnect Fund Administrative Committee Fund.

(b) Moneys in the funds may only be expended pursuant to this chapter and upon appropriation in the annual Budget Act. Any appropriation from the California High-Cost Administrative Committee Fund-B for the purposes of the grant program established in Section 276.5 of the Public Utilities Code regarding rural telecommunications infrastructure, may not be made until all of the following events have occurred:

(1) The United States Supreme Court has decided *Iowa Utilities Board v. Federal Communications Commission* (219 F.3d 744 (8th Cir.); certiorari granted January 22, 2001).

(2) The commission recalculates the statewide average cost to serve a residential line stated in Decision 96-10-066, as it determines to be appropriate.

(3) The commission is current on all claims made by carriers for service provided in high-cost areas, except for those claims that the commission is in the process of investigating, contesting, or disallowing.

(c) Moneys in each fund may not be appropriated, or in any other manner transferred or otherwise diverted, to any other fund or entity, except as provided for in Sections 276 and 276.5 *of the Public Utilities Code and Sections 19325 and 19325.1 of the Education Code*.

(d) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

270. (a) The following funds are hereby created in the State  
Treasury:

- (1) The California High-Cost Fund-A Administrative Committee Fund.
- (2) The California High-Cost Fund-B Administrative Committee Fund.
- (3) The Universal Lifeline Telephone Service Trust Administrative

Committee Fund.

(4) The Deaf and Disabled Telecommunications Program  
Administrative Committee Fund.

(5) The Payphone Service Providers Committee Fund.

(6) The California Teleconnect Fund Administrative Committee Fund.

(b) Moneys in the funds may only be expended pursuant to this chapter and upon appropriation in the annual Budget Act.

(c) Moneys in each fund may not be appropriated, or in any other manner transferred or otherwise diverted, to any other fund or entity, except as provided for in Sections 19325 and 19325.1 of the Education Code.

(d) This section shall become operative on January 1, 2006.

## **Education Code Section**

19325.1. (a) The State Librarian may operate a telephonic reading system, fund the operation of telephonic reading systems operated by qualifying entities, or both.

*(b) The telephonic reading system is to be funded from the Deaf and Disabled Telecommunications Program Administrative Committee Fund, pursuant to an appropriation in the annual Budget Act and in accordance with Public Utilities Code 270.*

~~(b)~~ (c) As used in this section, the following terms have the following meanings, unless otherwise indicated:

(1) "Telephonic reading system" means a system operated by the State Librarian or a qualifying entity, whereby a caller can hear the reading of material such as newspapers, magazines, newsletters, broadcast media schedules, transit route and schedule information, and other reference or time-sensitive materials, as determined by the operator of the system.

(2) "Qualifying entity" means any agency, instrumentality, or political subdivision of the state or any nonprofit organization whose primary mission is to provide services to people who are blind or visually impaired.

~~(c)~~ (d) Qualifying entities that were eligible, as of January 1, 2001, to receive funds from the State Librarian relating to the operation of a telephonic reading system may continue to receive funding from the State Librarian.

~~(d)~~ (e) The State Librarian, in cooperation with qualifying entities, may expand the type and scope of materials available on telephonic reading systems in order to meet the local, regional, or foreign language needs of print-disabled residents of this state. The State Librarian may also expand the scope of services and availability of telephonic reading services by current methods and technologies or by methods and technologies that may be developed. The State Librarian may inform current and potential patrons of the availability of telephonic reading service through appropriate means, including, but not limited to, direct mailings, direct telephonic contact, and public service announcements.

~~(e)~~ (f) The State Librarian may enter into contracts or other agreements that he or she determines to be appropriate to provide telephonic reading services pursuant to this section.

